

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.34305 of 2019
Date of Decision:-14.10.2021**

Kuldeep Singh @ Gora

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. J.K. Singla, Advocate
for the petitioner.

Ms. Samina Dhir, D.A.G, Punjab
for respondent No.1-State.

None for respondent No.2.

MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.43 dated 27.05.2014 registered at Police Station Rampura, District Bathinda, under Sections 420 and 406 IPC as well as the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute culminating in the registration of the said FIR.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner, whose vehicle bearing registration No.RJ-02G-1784 was allocated for loading and unloading the wheat in view of the tender given to the truck union, Rampura, had

misappropriated the wheat bags loaded therein for their transportation as he had not unloaded the same at the stipulated destination.

Vide the order dated 22.08.2019 passed by the Co-ordinate Bench, the parties had been directed to appear before the trial Court/Illaq Magistrate on 26.09.2019 for recording their statements in respect of the compromise. In pursuance of this order, Sub-Divisional Judicial Magistrate, Phul, recorded their (parties') statements and has submitted the report (which is already available on the file) mentioning therein that the compromise between the parties is a genuine and valid one and their statements are not the result of any pressure or coercion in any manner and the accused is not a proclaimed offender nor previous convict in any case. The statements of both the parties have also been annexed with the said report.

I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have perused the file thoroughly.

The said compromise has been effected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioner and in these circumstances, the continuation of the proceedings in the case arising out of the said FIR would be an exercise in futility.

Keeping in view the above-discussed facts and circumstances as well as the observations as made by the Apex Court in

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543, the FIR bearing No.43 dated 27.05.2014 registered at Police Station Rampura, District Bathinda, under Sections 420 and 406 IPC, as well as the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

October 14, 2021

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*